



PATENT  
Customer No. 22,852  
Attorney Docket No. 03419.0023-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Satoshi SAITO et al. ) Group Art Unit: 1633  
)  
Application No.: 10/507,129 ) Examiner: Scott Long  
)  
Filing Date: April 11, 2005 )  
) Confirmation No.: 8898  
For: METHOD OF CONTROLLING )  
ETHANOL PRODUCTION AND MASS )  
PRODUCTION OF LACTIC ACID AND )  
TRANSFORMANT THEREFOR )

**VIA EFS WEB**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached IDS Form PTO/SB/08 Form. This Information Disclosure Statement is being filed along with a Request for Continued Examination (RCE).

Copies of the listed non-patent literature documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached IDS form PTO/SB/08.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 23, 2010

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